

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**3:09cv471
[BR 04-31298]**

In Re: ROBERT W. HALLMAN,

Debtor,

**THE DAVID R. LAFAR, III FAMILY
LLC,**

Appellant,

Vs.

**MARY CATHERINE HOLCOMB,
Chapter 7 Trustee,**

Appellee.

ORDER OF REMAND

THIS MATTER is before the court on the consent Motion for Remand (#9). In such motion, the appellant and appellee state that they have reached an amicable resolution of the instant appeal, which will require remand to the bankruptcy court for purpose of settlement proceedings before the bankruptcy court. The court appreciates the efforts of counsel in thoroughly briefing the issues as well as the efforts in reaching a resolution short of oral arguments.

ORDER

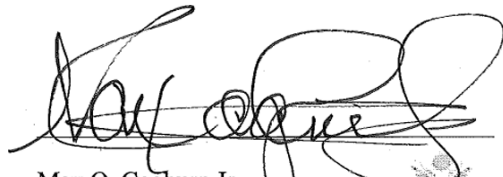
IT IS, THEREFORE, ORDERED that

- (1) the consent Motion for Remand (#9) is **ALLOWED**, and this matter is respectfully **REMANDED** to the bankruptcy court for purposes of conducting settlement proceedings;

- (2) such remand is without prejudice as to the parties seeking further review of the issues presented on this appeal upon motion to reopen this matter, pending settlement proceedings, and shall not diminish, alter, or prejudice the parties rights on this appeal; and
- (3) the Clerk of this Court is respectfully instructed to administratively close this matter.

The August 18, 2011, oral argument is **CANCELLED**.

Signed: August 17, 2011



Max O. Cogburn Jr.
United States District Judge